PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTA	AITTAI			Complete if Known						
FEE IRANSWIIIAL		Application Number			er	10/699,178				
for FY 2004		Filing Date				October 31, 2003				
		First Named Inventor		tor	Higley					
Effective 10/01/2003. Patent fees are subject to annual revision.		Examiner Name								
Applicant claims small entity status. See 37 CFR 1.27		Art Unit			-					
TOTAL AMOUNT OF PAYMENT (\$) 280			Attorney Docket No.			OBC-132				
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)								
Check Credit card Money Other None	3. /	. ADDITIONAL FEES								
Order Order	Large	Entity	Small	Entity						
Denosit	Fee Cod	Fee Fee Fee Fee Description					Fee Paid			
Account 05-1068	1051		2051		Surch	narge - late filing fee or oath	130			
Deposit Account Energy Conversion Devices	1052	50	2052			narge - late provisional filing fee or				
Name The Director is authorized to: (check all that apply)	1053	130	1053			English specification				
Charge fee(s) indicated below Credit any overpayments	1812	2,520	1812 2	2,520	For fill	ing a request for ex parte reexamination				
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804			esting publication of SIR prior to iner action				
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1,840*		resting publication of SIR after niner action				
FEE CALCULATION	1251	110	2251	55	Exter	nsion for reply within first month	110			
1. BASIC FILING FEE	1252	420	2252	210	Exter	nsion for reply within second month				
Large Entity Small Entity	1253	950	2253	475	Exter	nsion for reply within third month				
Fee Fee Fee Fee Paid Code (\$) Code (\$)	1254	1,480	2254	740	Exter	nsion for reply within fourth month				
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Exter	nsion for reply within fifth month				
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notic	e of Appeal				
1003 530 2003 265 Plant filing fee	1402		2402			a brief in support of an appeal	i			
1004 770 2004 385 Reissue filing fee	1403		2403			est for oral hearing				
1005 160 2005 80 Provisional filing fee		1,510				on to institute a public use proceeding				
SUBTOTAL (1) (\$)	1452		2452			on to revive - unavoidable				
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,330	2453			on to revive - unintentional				
Fee from Extra Claims below Fee Paid	1502	1,330 480	2501 2502		-	/ issue fee (or reissue) gn issue fee				
Total Claims X = X	1503		2503		•	t issue fee				
Independent Claims - 3** = X = X	1460	130	1460			ions to the Commissioner				
Multiple Dependent	1807	50	1807	50	Proc	essing fee under 37 CFR 1.17(q)				
Large Entity Small Entity Fee Fee Fee Fee Fee Pescription	1806	180	1806			nission of Information Disclosure Stmt				
Code (\$) Code (\$)	8021	40	8021	40	Reco	rding each patent assignment per erty (times number of properties)	40			
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809		Filing	a submission after final rejection FR 1.129(a))				
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For e	each additional invention to be				
1204 86 2204 43 ** Reissue independent claims over original patent	180	1 770	2801	385		nined (37 CFR 1.129(b)) uest for Continued Examination (RCE)				
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802		1802		Req	uest for expedited examination design application				

SUBMITTED BY			(Complete (if applicable))						
Name (Print/Type)	Philip H. Schlazer	Registration No. (Attorney/Agent) 42	2,127	Telephon	e 248-293-0440				
Signature	Phil 1. Solx			Date	April 8, 2004				

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 280

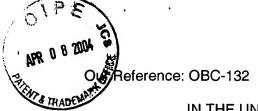
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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SUBTOTAL (2)

**or number previously paid, if greater; For Reissues, see above

(\$)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Higley

Serial Number:

10/699,178

Filing Date:

October 31, 2003

Title:

NICKEL METAL HYDRIDE BATTERY WITH IMPROVED

SEPARATOR

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is Response to Notice to File Missing Parts, a Request for a one-month Extension of Time, a signed Declaration and Power of Attorney, Recordation Form Cover Sheet, Assignment, Fee Transmittal for FY 2004, Formalities Letter and Return Receipt Postcard in above-identified patent application.

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>April 8, 2004</u>, by U.S. EXPRESS MAIL LABEL NO.: <u>EU066168908US</u>.

Melinda Cihone

Welle ahor.